

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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Candy Sue Alejo,

Plaintiff,

v.

Smith's Food & Drug Centers, Inc.; et al.,

Defendants.

Case No. 2:23-cv-01588-APG-DJA

Order

Plaintiff's counsel—Justin G. Randall, Esq. of the law firm ER Injury Attorneys—has moved to withdraw his representation of Plaintiff Candy Sue Alejo, explaining that counsel and Ms. Alejo have reached an insurmountable disagreement regarding litigation strategy. (ECF No. 17). Counsel explains that the case is in its infancy, there are no outstanding discovery requests to which Ms. Alejo must respond, no depositions have been set, and no trial date has been set, so Ms. Alejo will not be prejudiced by the withdrawal and will have time to retain new counsel. (*Id.* at 3). Ms. Alejo has not responded to the motion. Defendant Smith's Food & Drug Centers, Inc. filed a non-opposition. (ECF No. 18).

Under Local Rule ("LR") IA 11-6(b), "[i]f an attorney seeks to withdraw after appearing in a case, the attorney must file a motion or stipulation and serve it on the affected client and opposing counsel." LR IA 11-6(b). Under Local Rule 7-2(d) the failure of a party to oppose a motion constitutes that party's consent to the granting of the motion. The Court finds that Plaintiff's counsel has met the requirements of LR IA 11-6(b). Ms. Alejo has also not responded, constituting her consent to the granting of the motion.

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IT IS FURTHER ORDERED that the Clerk of the Court shall add the last known address and email address of Plaintiff to the civil docket and send a copy of this Order to Plaintiff's last known address:

DATED: February 2, 2024

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